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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,071	09/29/2004	Anthony F. Scian	555255012408	4276
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PATENT GROUP 2N				
JONES DAY				
NORTH POINT				
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CLEVELAND, OH 44114				
EXAMINER				
ZHEN, L I B				
ART UNIT		PAPER NUMBER		
2194				
MAIL DATE		DELIVERY MODE		
06/09/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/510,071

Applicant(s)

SCIEN ET AL.

Examiner

Li B. Zhen

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 10 are pending in the application.

Response to Arguments

2. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. The claims are currently under 35 USC 112, first paragraph and not rejected under prior art.

Interview Summary

3. During a telephone interview with Mr. John V. Biernacki on June 4, 2008, examiner indicated that applicant's specification does not appear to provide written description for "overlying" the class interface dispatch tables. Mr. Biernacki and examiner were unable to agree on claim language to overcome the rejection for failing to comply with the written description requirement.

Claim Objections

4. Claims 1 – 8 are objected to because of the following informalities: claim 1 contains clauses that expresses the intended result of a process step positively recited ("thereby generating a class interface check table for the class", line 7; "thereby generating a class interface dispatch table for the class, line 14; "thereby generating a compact dispatch table", lines 16 – 17). These clauses are not given any patentable weight (MPEP § 2111.04). It is suggested that applicant amend the claims to positively

recite the steps of generating a class interface check table for the class, generating a class interface dispatch table for the class, and generating a compact dispatch table.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1 – 10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Currently amended claims 1 and 9 recites the new limitations “generating a compact dispatch table, by overlaying the sparse class interface dispatch tables so that non-null entries of the class interface dispatch tables at ordinal position fit into the compact dispatch table” (claim 1, lines 17 – 19) and “a compact class interface dispatch data structure is generated by overlaying the class interface dispatch data structures of a plurality of classes” (claim 9, lines 16 – 17). There does not appear to be a written description of the claimed limitation in the application as filed. Specifically, applicant’s specification does not disclose overlaying class interface dispatch tables. Applicant’s specification does not provide an explicit definition for the term “overlay”; therefore, the term “overlay” is given its ordinary meaning (“to lay or spread over or across”, *Merriam-*

Webster's Collegiate Dictionary, 10th Edition). In the response on 03/10/2008, applicant referred to Figure 28 and steps 840 and 860 from page 23, line 17 to page 24, line 7 (p. 7, line 19 – p. 8, line 2 of applicant's response). Step 840 includes comparing all entries of the candidate sparse CID table to the corresponding entries in the Compact Table in order to determine if the candidate sparse CID table would fit at the current offset. If the candidate sparse table fits, at step 860, the non-null entries in the candidate sparse CID table are copied to their corresponding position in the Compact Table. Steps 840 and 860 fail to disclose laying one candidate sparse class interface dispatch table over another class interface dispatch table. One of ordinary skill in the art would not know how to take one class interface dispatch table and spread it over another class interface dispatch table. Therefore, the applicant fails to disclose "generating a compact dispatch table, by overlaying the sparse class interface dispatch tables so that non-null entries of the class interface dispatch tables at ordinal position fit into the compact dispatch table" and "a compact class interface dispatch data structure is generated by overlaying the class interface dispatch data structures of a plurality of classes" in the specification as filed.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

CONTACT INFORMATION

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Li B. Zhen
Primary Examiner
Art Unit 2194

/Li B. Zhen/
Primary Examiner, Art Unit 2194